

May 19, 2020

Item No. 5  
Resolution No.

The following Resolution was moved by  
and seconded by :

Resolution Affirming the Swearing-in and Appointment of a New Class of  
Special Patrolmen and Authorizing the City Manager to Appoint Additional  
Special Patrolmen Pursuant to Section 53 of the Charter.

WHEREAS, on March 7, 2020, Governor Cuomo issued Executive Order Number 202  
declaring a State disaster emergency for the entire State of New York due to the COVID-19  
pandemic; and

WHEREAS, the City, by Local Emergency Order duly authorized by the New York State  
Department of Health, closed the boardwalk to the public; and

WHEREAS, the Local Emergency Order closing the City's boardwalk, the COVID-19  
State disaster emergency and the Governor's Executive Orders comprising New York on PAUSE  
have been extended and remain in effect; and

WHEREAS, Governor Cuomo recently permitted state public and private beaches to  
open for Memorial Day weekend and will be limited to, inter alia, 50% in-person capacity; and

WHEREAS, the City wishes to safely re-open the boardwalk and open the Ocean Beach  
Park for the Memorial Day weekend and the regular beach season; and

WHEREAS, the Nassau County Executive has raised concerns that New York City  
("NYC") Mayor DeBlasio's announcement that NYC beaches will not be open will result in  
overcrowding at County beaches; and

WHEREAS, the City agrees with these concerns as they relate to the Ocean Beach Park  
and to the Boardwalk; and

WHEREAS, the City Manager has prepared and executed two separate Local Emergency  
Orders: one re-opening the boardwalk and the other setting forth limitations of the Ocean Beach  
Park; and

WHEREAS, the City believes that the aforementioned Local Emergency Orders are in  
accord with the Governor's Executive Orders; and

WHEREAS, notwithstanding that belief, the City submitted both Local Emergency Orders  
to the New York State Department of Health for review; and

WHEREAS, the review of those Local Emergency Orders by the New York State  
Department of Health is still pending; and

WHEREAS, a new class of special patrolmen received their training and were duly sworn  
in on or about May 16, 2020; and

WHEREAS, under Section 53 of the Charter, in case of emergency or during the summer season the City Manager has the authority to appoint as many special patrolmen as she may deem advisable for a specified period of time; and

WHEREAS, in light of the continued COVID-19 pandemic, state disaster emergency, the City's local state of emergency, and subsequent executive orders issued by the Governor, the City deems it necessary to appoint additional special patrolmen beyond the recently sworn-in class in order to properly respond to the COVID-19 pandemic and ensure the safety of the City's residents; and

NOW, THEREFORE, be it

RESOLVED, that the City Council of the City of Long Beach, New York hereby authorizes the City Manager to appoint only the necessary additional special patrolmen pursuant to Section 53 of the Charter; and

BE IT FURTHER RESOLVED, that such additional special patrolmen shall serve as directed by the City Manager, at no compensation, responding only to COVID-19 related incidents; and

BE IT FURTHER RESOLVED, that these additional special patrolmen are only authorized to enforce the Code of Ordinances for the duration of the local state of emergency originally declared on March 14, 2020, or by subsequent directive of the City Manager, and/or when superseded by any other federal or state action.